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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/798,216	03/10/2004	Jochen Weber	10191/3603	6117
26646	7590	10/17/2005	EXAMINER	
KENYON & KENYON ONE BROADWAY NEW YORK, NY 10004			PATEL, RAMESH B	
			ART UNIT	PAPER NUMBER
			2121	

DATE MAILED: 10/17/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/798,216	Applicant(s) WEBER ET AL.	
	Examiner Ramesh B. Patel	Art Unit 2121	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 10 March 2004 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. Claims 1-15 are presented for examination.
2. The claims and only the claims form the metes and bounds of the invention.
"Office personnel are to give claims their broadest reasonable interpretation in light of the supporting disclosure. In re Morris, 127 F.3d 1048, 1054-55, 44 USPQ2d 1023, 1027-28 (Fed. Cir. 1997). Limitations appearing in the specification but not recited in the claim are not read into the claim. In re Prater, 415 F.2d 1393, 1404-05, 162 USPQ 541, 550-551 (CCPA 1969)" (MPEP p 2100-8, c 2, I 45-48; p 2100-9, c 1, I 1-4). The Examiner has full latitude to interpret each claim in the broadest reasonable sense. The Examiner will reference prior art using terminology familiar to one of ordinary skill in the art. Such an approach is broad in concept and can be either explicit or implicit in meaning.

Priority

3. Acknowledgment is made of applicant's claim for foreign priority under 35 U.S.C. 119(a)-(d). The certified copy has been filed in parent the application.

Drawings

4. The drawings are objected to under 37 CFR 1.83(a) because they fail to show for example,

figures 1 and 3, element 11 fails to label and or describe similar element 8 of memory 3; element 6 has two way communication line which is not properly marked and/or described in the specification as to where it is connected to as described in the specification;

figure 2, bus between element S5 and element S1 does not have any label and/or described in the specification described in the specification;

figure 4, bus between various elements are not properly marked and/or described in the specification and/or does not show proper relation ships between elements such as bus between S23 and S24 and bus between S23 and S14 and bus connecting to S15 to bus between S23 and S24. Figure 4, elements S11 and S15 fails to show connection to any element on top and bottom of the elements respectively. Any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing. MPEP § 608.02(d). Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each

drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Specification

5. The disclosure is objected to because of the following informalities: page 5, lines 20, the terms "An internal bus 12...not brought out of chip 2." It is not clear as to what it meant and/or it is missing some terms.

Appropriate correction is required.

Claim Objections

6. Claim 10 is objected to because of the following informalities:

Claim 10, line 7 includes the term "b)" does not appear to be appropriate, since steps a, b, etc, are not listed.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

7. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 2 and 12 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 2 is rejected under 35 U.S.C. 112, second paragraph, as being incomplete for omitting essential structural cooperative relationships of elements, such omission amounting to a gap between the necessary structural connections. See MPEP § 2172.01. The omitted structural cooperative relationships are: the limitation(s) "the expected data value is identical to this serial number"; examiner is not sure which serial number is being referred to as to "this serial number" and it is not clear what it meant by this serial number, there is not a proper structural relationships between these limitations, it appears to be missing some information and/or it is not clear to interpret the structural relationship between the limitations.

Regarding claim 12, the phrase "such as" and/or "so that" renders the claim indefinite because it is unclear whether the limitations following the phrase are part of the claimed invention. See MPEP § 2173.05(d).

Dependent claims, which are not particularly rejected, are rejected based on the rejected base claim.

Claim Rejections - 35 USC § 102

8. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-15 are rejected under 35 U.S.C. 102(b) as being anticipated by Brunson (US Patent 5,329,579).

As to claims 1 and 10, Brunson teaches the invention including a microprocessor system a method having a plurality of modules, comprising: a microprocessor is taught as the modular processor which is made of identical multi function modules (see, abstract and figure 1 and col. 2, lines 22-50 and col. 5, lines 8-46); at least one storage module for storing at least one of the code and data for the microprocessor, at least one of the at least one storage module being referred to as an exchange-protected module and storing a serial number of this module in a non-changeable manner (see, abstract and figures 1-4 and col. 4, lines 28-62); and a control module to receive a data value specified by the at least one serial number and to at least partially block a function of the microprocessor system if the received data value does not match an expected data value encoded in the control module (see, abstract and figure 1 and col. 2, lines 22-50 and col. 5, lines 8-46).

As to claims 2-4 and 11, Brunson teaches the system and the method wherein the control module differs from the exchange-protected module, and has a serial number and the expected data value is identical to this serial number and wherein the at least one exchange-protected module is a non-volatile storage module wherein the storage module includes a password-protected flash memory (see, see, abstract and figure 1 and col. 2, lines 22-50).

As to claims 5, 7-8 and 12-13, Brunson teaches the system and the method wherein the at least one exchange-protected module includes a one-chip microcomputer, which includes the microprocessor together with a program memory, wherein information required by the microprocessor to calculate the specified data value is at least partially stored in the program memory wherein the information includes program instructions that are to be executed within the framework of a boot procedure (abstract and figures 7-13 and col. 5, line 26 to col. 6, line 27).

As to claims 6 and 14, Brunson teaches the system and the method wherein the control module is configured to induce the microprocessor to query the serial number of each exchange-protected module to calculate the specified data value therefrom and to transmit it to the control module (see, abstract and figures 5-7 and col. 2, lines 22-50).

As to claims 9 and 15, Brunson teaches the system and the method wherein the control module is configured to also at least partially block the function of the

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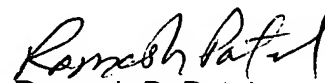
microprocessor system when the specified data value is not received during a predefined time interval (see, abstract and figures 7-15 and col. 2, lines 22-50).

9. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ramesh B. Patel whose telephone number is 571-272-3688. The examiner can normally be reached on M-Th; 7:00 AM to 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Anthony Knight can be reached on 571-272-3687. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


Ramesh B. Patel
Primary Examiner
Art Unit 2121
10/14/05

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